

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 44 – SB 973

March 26, 2019

SUMMARY OF BILL: Prohibits a person 18 years or older from operating a motor vehicle and talking on a hand-held mobile telephone on any road or highway while the vehicle is in motion. Prohibits a person under 18 years of age from operating a motor vehicle and talking on a mobile telephone that is equipped with a hands-free device on any road or highway while the vehicle is in motion. Establishes that violation of such is a Class C misdemeanor, punishable by fine only, not to exceed \$50.

ESTIMATED FISCAL IMPACT:

Increase State Revenue –

Exceeds \$40,900/FY19-20

Exceeds \$81,800/FY20-21

Exceeds \$40,900/FY21-22 and Subsequent Years

Increase Local Revenue –

Exceeds \$2,200/FY19-20

Exceeds \$4,300/FY20-21

Exceeds \$2,200/FY21-22 and Subsequent Years

Assumptions:

- It can be reasonably estimated that all law enforcement agencies that issue citations for the proposed offense will charge the maximum allowed fine of \$50, pursuant to Tenn. Code Ann. § 55-8-207.
- In 2016, there were 1,723 texting while driving citations issued. It is estimated that a similar total citations will be issued under this legislation for which fine revenue will be collected.
- In FY20-21, the increase in fine revenue is estimated to exceed \$86,150 (1,723 x \$50).
- The state will receive 95 percent of such fine revenue and locals will receive the remaining five percent.
- The increase in state revenue is estimated to exceed \$81,843 (\$86,150 x 95%).
- The increase in local revenue is estimated to exceed \$4,307 (\$86,150 x 5%).
- Given the effective date of January 1, 2020, there will be a half year impact for FY19-20. The increase in state revenue in FY19-20 is estimated to exceed \$40,922 (\$81,843 x

50%); the increase in local revenue in FY19-20 is estimated to exceed \$2,154 (\$4,307 x 50%)

- California was one of the first states to pass similar legislation. According to the California Office of Traffic Safety's *Observational Study of Handheld Cellphone and Texting Use Among California Drivers 2017 Summary Report*, hand-held cellphone usage fell from 7.6 percent to 3.6 percent in one year following the passage of the law.
- Given the above information and the increasing access to hands-free technology, it is reasonably estimated there will be an approximant 50 percent reduction in the use and citations issued for talking on a hand-held mobile telephone under this legislation by 2021.
- The recurring increase in state revenue in FY21-22 and subsequent years is estimated to exceed \$40,922 (\$81,843 x 50%).
- The recurring increase in local revenue in FY21-22 and subsequent years is estimated to exceed \$2,154 (\$4,307 x 50%)
- Any increase to the workload of the courts or law enforcement officers, as a result of this legislation, is estimated to be handled with existing resources and personnel.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista Lee Carsner, Executive Director

/jmg